

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE MATA-SOTO,

Defendant.

**8:12CR355**

**MEMORANDUM  
AND ORDER**

This matter is before the Court on defendant Jose Mata-Soto's ("Mata-Soto") pro se Renewed Motion for Compassionate Release (Filing No. 93). On January 27, 2022, Mata-Soto filed a pro se Motion for Compassionate Release (Filing No. 90) and a separate Motion to Appoint Counsel (Filing No. 91). On April 26, 2022, this Court entered a Memorandum and Order ("Order") denying both motions (Filing No. 92).

Defendant now renews his motion for compassionate release based upon the same factors raised in his earlier motion. The only substantial change to his original motion is an argument that the former head of the United States Bureau of Prisons ("BOP"), Michael Carvajal, was somehow forced to resign because of his handling of COVID-19 in BOP facilities. Defendant argues the BOP has not effectively handled the COVID-19 pandemic within its facilities. He also argues that the "First Step Act allows district courts to consider intervening changes of law or fact in exercising their discretion to reduce a sentence" but provides no factual or legal support for this argument.

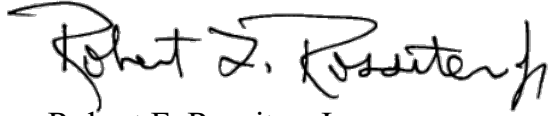
The Court has now reviewed Mata-Soto's latest submission. Based on that review and review of the Order, it is the Court's view that Mata-Soto has not established extraordinary and compelling reasons for compassionate release.

For the reasons set forth in the Order, Mata-Soto's renewed motion is denied.

IT IS SO ORDERED.

Dated this 29th day of September 2022.

BY THE COURT:

A handwritten signature in black ink, reading "Robert F. Rossiter, Jr." with a stylized flourish at the end.

Robert F. Rossiter, Jr.  
Chief United States District Judge